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JUL 10 2008

Application No. 09/921,107
Amendment dated July 10, 2008
Reply to Office Action of January 10, 2008**REMARKS**

Applicant amended independent claims 7 and 19 to further define Applicant's claimed invention. Support for the amendments to independent claims 7 and 19 can be found in the specification at least on page 9, line 15 through page 10, line 3. No new matter has been added.

In the Office Action, the Examiner rejected claims 7-14, 19-21, 23-26 and 32-35 under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,163,272 to Goode et al. ("Goode") in view of U.S. Patent No. 6,944,585 to Pawson ("Pawson"). Applicant amended independent claim 7 to recite a system including a computer processor programmed to "group users of the main accounts and users of the sub-accounts into at least one grouping of account users, the users in the at least one grouping having at least one demographic characteristic in common," and programmed to "make available the digital media content to at least one of said main accounts based on the grouping of the user of the at least one of said main accounts and to make available the digital media content to at least one of said sub-accounts based on the grouping of the user of the at least one of said sub-accounts." Applicant amended independent claim 19 to recite a computer-implemented method including "grouping primary account holders and sub-account holders into at least one grouping of account holders, the account holders in the at least one grouping having at least one demographic characteristic in common," and "making available the digital media content to the primary account based on the grouping of the primary account holder and making available the digital media content to the sub-account based on the grouping of the sub-account holder."

The Goode system obtains an ID from a set-top terminal, obtains a PIN from a customer, and provides access to the requested services based on a PIN associated with those services. (Goode, col. 4, line 32 through col. 5, line 6). Goode teaches that "each customer within a household can be assigned a PIN having their own limits on what services they can access within the information distribution system." (Goode, col. 5, lines 61-64). Pawson discloses that "a user profile 148 is established for each user using the system 100." (Pawson, col. 4, lines 19-20). In Pawson, after "the content

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resolver 145 determines how to service the request" for content, "the content resolver 145 transmits information identifying both the content of the digital audio-visual data stream and the particular requesting user to the stream server 110. The stream server 110 transmits commands to the video pump 130 to cause video pump 130 to transmit the customized digital audio-visual data stream to the requesting user." (Pawson, col. 4, lines 31-37). Neither Goode nor Pawson teaches or suggests a computer processor as recited in independent claim 7. Likewise, neither Goode nor Pawson teaches or suggests grouping primary account holders and sub-account holders and making available the digital media content as recited in independent claim 19.

Applicant submits that Goode and Pawson, alone or when properly combined, do not teach or suggest all recitations of Applicant's independent claims 7 and 19. Accordingly, even if Goode is modified in view of Pawson as proposed by the Examiner, the modification does not result in Applicant's claimed invention as recited in independent claims 7 and 19. Applicant submits that the Examiner's rejection of claims 7-14, 19-21, 23-26, and 32-35 under 35 U.S.C. § 103(a) over Goode in view of Pawson has been overcome.

The Examiner rejected claims 13, 14, and 27 under 35 U.S.C. § 103(a) as being unpatentable over Goode in view of Pawson and further in view of U.S. Patent No. 6,178,407 to Lotvin et al. ("Lotvin"). Applicant submits that the rejections of claims 13, 14, and 27 are rendered moot at least because these claims depend from an allowable independent claim, or claims dependent therefrom.

Applicant submits that independent claims 7 and 19 are patentable and that dependent claims 8-14, 20-21, 23-27, and 32-35 dependent from one of independent claims 7 and 19, or claims dependent therefrom, are patentable at least due to their dependency from an allowable independent claim.

In view of the foregoing remarks, it is respectfully submitted that the claims, as amended, are patentable. Therefore, it is requested that the Examiner reconsider the outstanding rejections in view of the preceding comments. Issuance of a timely Notice of Allowance of the claims is earnestly solicited.

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To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this reply, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 50-1068.

Respectfully submitted,

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